

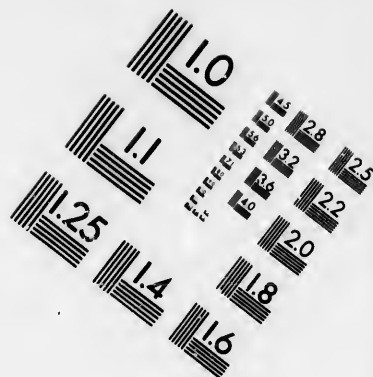
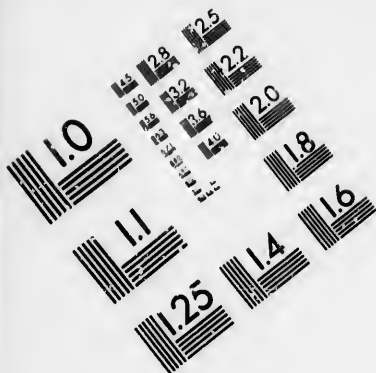
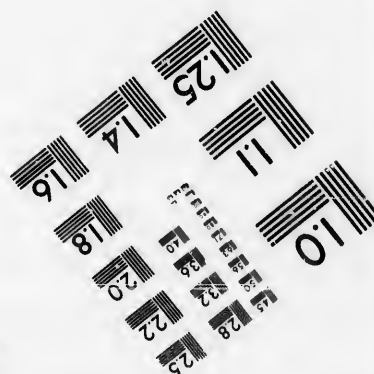
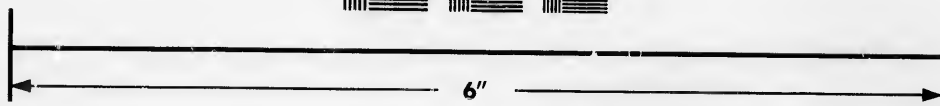
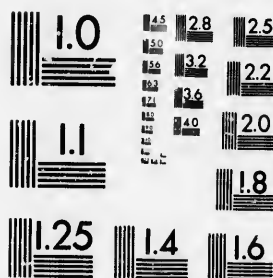


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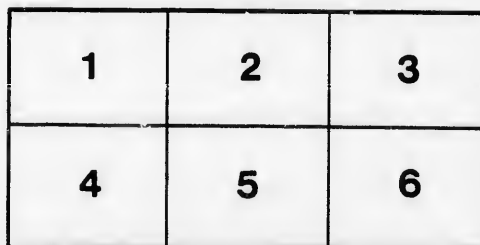
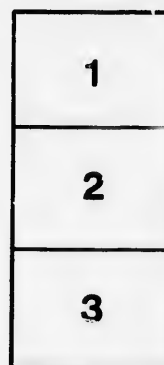
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2

SCHOOL ACT

OF

Prince Edward Island,

31st VICTORIA. Cap. 6.

INTITULED

“AN ACT TO CONSOLIDATE AND
AMEND THE SEVERAL LAWS
RELATING TO EDUCATION.”

PASSED 24TH APRIL, 1868 : WENT INTO OPERATION
1ST JUNE, 1868.



CHARLOTTETOWN, P. E. ISLAND :

PRINTED BY J. H. FLETCHER, LOWER QUEEN STREET.
1875.

SCHOOL ACT

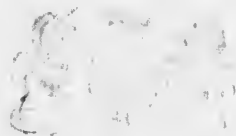
Prince Edward Island

EDWARD ISLAND

EDUCATION

THE ACT TO ESTABLISH A
BOARD OF EDUCATION
AND TO PROVIDE FOR THE
TEACHING OF THE CANADIAN
HISTORY AND GEOGRAPHY

EDWARD ISLAND



EDWARD ISLAND

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SCHOOL ACT.

THE REVISED AND AMENDED ACTS OF
THE GENERAL ASSEMBLY

RELATING TO

EDUCATION;

CONSOLIDATED AND AMENDED BY THE LEGISLATURE
IN THE SESSION OF 1868.

XXXI° VICTORIA, CAP. VI.

*An Act to consolidate and amend the several Laws
relating to Education.*

[Passed 24th of April, 1868.]

WHEREAS the Laws now in force establishing a system of free education in this Island require consolidation and amendment: Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Council and Assembly, that from and after the passing of this Act, the several Acts hereinafter mentioned, that is to say: An Act made and passed in the twenty-fourth year of the reign of Her present Majesty, Chapter thirty-six, An Act made and passed in the twenty-sixth year of the same reign, Chapter five, an Act

Repeals 24
Vic., cap.
35, 26 Vic.,
cap. 5, 30
Vic., cap. 8,
(except as
hereinafter
excepted)
and sec-
tions 6, 7,

12th and 13th of
27 Vc., cap.
31.

made and passed in the thirtieth year of the same reign, Chapter eight, (except as herein-after excepted,) and for the purposes hereinafter mentioned, and the sixth, seventh, twelfth and thirteenth sections of the Act of the twenty-seventh Victoria, Chapter thirty-one, shall be, and the same are hereby severally and respectively repealed.

Board of
Education
of 11 per-
sons to be
appointed,
including
Secretary
and two
persons.

II. From and after the passing of this Act the Lieutenant Governor in Council shall nominate and appoint eleven fit and proper persons to be and constitute a Board of Education, one of which number shall be appointed by the Lieutenant Governor in Council, to be the Secretary of the Board, and two other members thereof shall, in like manner, be appointed as examining members, whose duty it shall be to examine candidates for licenses to teach, under the orders and regulations of the Board, and to attend the meetings of such Board as ordinary members thereof.

Board to
meet
monthly,
and 5 mem-
bers to be a
quorum.

III. Five members of the Board shall be a quorum, and the Board shall meet on the last Thursday in each month, and shall give notice of the place and time of every such monthly meeting, by advertizing the same in the *Royal Gazette* newspaper of this Island, at least ten days previous to such meeting, and the said Board may meet on such other and further days as they may deem necessary, from time to time, without such notice being required to be given.

Examina-
tion meet-
ings to be
once in 2
months,

IV. The regular examination meetings of the Board shall be once in every two months, on the last Thursday in the month, commencing with

the month of January in each year, and in each case, for the purpose of examination, the Board may adjourn from day to day, and also hold special meetings for the same purpose, as may be arranged or ordered by the Board from time to time.

Special meetings for same purpose.

V. The Secretary so appointed by the Lieut. Governor in Council shall be paid the sum of seventy-five pounds for his services and to provide necessary stationery and pay other contingent expenses.

Salary of Secretary.

V. Each member of the Board shall receive nine pounds yearly for his services, except the two examining members, who shall be paid twenty pounds a year each: the salary of each member to be subject to a deduction of fifteen shillings for every time he shall be absent from any monthly sitting of the Board, without sufficient excuse.

Allowance to members of the Board.

VII. The Lieutenant Governor in Council may, at any time, and from time to time, remove or supersede any member or members of the Board, and nominate and appoint a new member or members thereto, instead of the member or members so removed or superseded, and when and so often as any vacancy or vacancies shall occur in such Board, by death or otherwise, the said Lieutenant Governor in Council shall appoint a fit person, or fit persons to fill such vacancy or vacancies.

Lt. Governor may remove members of Board and fill up any vacancies, &c.

VIII. No Schoolmaster or mistress licensed to teach under this Act, or under the said hereby repealed Acts, or any former Law relating to Education, who shall have been, or may or

Teacher who has ceased teaching for two years must again submit to examination.

shall hereafter be, absent from this Island, or who shall have discontinued the practice of teaching, or not been employed therein under any agreement to teach under this Act, or any present Act relating to Education, for the space of two consecutive years, shall not hereafter be permitted or qualified to teach under this Act, unless he or she shall again appear before the Board and be examined, and receive from the Board a new license or certificate to teach.

Candidates
for office of
teacher to
be examin-
ed, and if
found com-
petent, re-
ceive certi-
ficate.

IX. Any person who may be a candidate to become a District Teacher or Schoolmaster, or mistress, in this Island, shall, on one of the bi-monthly meetings of the Board, or any other day which the said Board shall appoint, submit himself or herself to an examination before the Examiners of the Board, and if the Board shall, on receiving the report of the Examiners, be satisfied with the qualifications of such candidate, they shall give him or her a certificate of his having passed such examination; provided that no such certificate shall be granted to any person who shall not have produced to the Board a certificate of good moral character, signed by at least two persons of respectability, one of whom shall be a Clergyman or Justice of the Peace, resident in the neighborhood where the applicant may have last resided or usually resides.

Certificate
of charac-
ter, &c., to
be pro-
duced.

Board on
report of
School Vis-
itor may
require
teacher to
be re-ex-
amined, &
if found
incom-
petent, li-
cense can-
celled.

X. If any School Visitor shall report to the Board of Education that any teacher, licensed to teach under any of the former Acts relating to Education, is unqualified to teach, the Board of Education may, at its discretion, order such teacher to be re-examined before the Board, and

upon such re-examination shall grant, or refuse, a certificate or license to teach to such person, and if a new certificate or license as aforesaid, be refused to such person by the Board, his former certificate or license shall be deemed to be cancelled.

XI. It shall be the duty of the Board of Education, assisted by the Visitors of Schools, if they require it, to prepare suitable forms and regulations for making all returns required by this Act, and conducting all necessary proceedings thereunder, and to cause a copy of the same, with such instructions as they shall deem necessary for the guidance of District and other schools, the same not being inconsistent with this Act, as also a copy of this Act, to be furnished to each teacher having an engagement to teach under this Act, which Act and documents shall be at all times kept in each school-house by the teacher, and shall be open to the inspection of the Trustees of such school and all persons by law authorized to visit the same.

Board to
ordain
forms of
returns, &c.,
for teachers

Copy of
Act, &c., to
be kept in
school-
house.

XII. Upon complaint made to the Board, of gross misconduct or neglect of duty on the part of any person holding a certificate as a District Teacher, the said Board, after due investigation and satisfactory proof of such misconduct or neglect of duty, shall have power to cancel or revoke the certificate held by such District Teacher as aforesaid, and shall also have the same power if any such teacher as aforesaid, having entered into an engagement to teach in any District as hereinafter mentioned, do not complete the whole term of his engagement, unless such teacher be prevented from so doing by sick-

Board empowered
in certain
cases to
cancel
teacher's
certificate.

ness or other incapacity, or unless the said engagement be dissolved by order or permission of the Board.

Trustees,
&c., wish-
ing to re-
move teach-
er, to lodge
complaint
with Board,
who may
enquire in-
to same;

XIII. In the event of any dispute between any of the trustees or the inhabitants of any District, and the teacher as to his conduct as teacher, the trustees or inhabitants intending to prosecute such complaint, with the view of removing him from the school, before the expiration of his agreement, shall be obliged to lodge with the Board a written statement of such complaint, and, at the same time, to send a copy thereof to the teacher, and the Board may inquire into such complaint in such way as to them may seem most fit, and the evidence as well on the part of the trustees or inhabitants in support of the charge or complaint, as on the part of the teacher in answer thereto, may be taken by affidavit or written depositions before any Justice of the Peace for the County, to be nominated by the said Board for that purpose, and transmitted to the said Board for their consideration and final decision thereon; provided always that the Board may, if they think fit, require the parties and their witnesses to appear personally before them, in or touching the matter of such investigation, and, on such complaint being established, the said Board may, in their discretion, supersede such teacher, and authorise the trustees of the District to engage another teacher in his place, although the term of the agreement with the teacher so suspended may not have expired, but such last mentioned teacher shall, nevertheless, be entitled to receive the proportion of his salary up to the time of his dismissal.

and receive
evidence.

Board may
require per-
sonal at-
tendance of
parties,

and if
deemed
necessary
remove
teacher, &c.

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XIV. The Secretary of the Board of Education shall, as heretofore, keep a book or register in which, from time to time, shall be entered the several School Districts in this Island, properly constituted and in operation, and having teachers therein entitled to support under this Act, and the inhabitants or teachers of all School Districts claiming support under this Act shall cause the particulars and extent thereof to be forwarded to the Secretary of the Board of Education, who shall enter the same in rotation, as they come into his office, in the said Book or Register, and all such School Districts erected after this Act shall go into operation shall be entered and registered within three months after the day when the determination of the said Board shall be notified respecting the same, as hereinafter mentioned, and no new School District, in addition to those in existence and established at the time of the passing of this Act, shall be sanctioned by the said Board, nor shall any such new District, or the teacher therein, be entitled to any allowance under this Act, until the same has been referred to the Lieut. Governor in Council, and the erection of such new District and the granting of such allowance shall have been sanctioned by special order made by the Lieutenant Governor in Council directed to the Board of Education.

XV. The Board of Education may receive and take to themselves, and their successors in office, in cases where the owners of the lands refuse conveying them to the trustees of the District, or will not otherwise secure them to the inhabitants of the District, by conveyance deeds and conveyances of the pieces of land

Register of
districts to
be kept by
Secretary
of Board.

Special as-
sent of Lt.
Governor in
Council
essential to
establish
new School
District.

Board may
receive
Convey-
ances of
school sites,
&c.

Mode of
changing
sites of
school-
houses.

whereon the schoolhouses now or hereafter to be erected shall be situate, and shall hold the same in trust for the inhabitants of the District where the same lands are situate for the purposes of Education and of this Act. When, and so often as at least two-thirds of the inhabitants, resident householders within any School District, now registered. or hereafter to become registered under this Act, shall desire to alter the site of the schoolhouse therein, and shall signify such their desire, in writing, to the Board of Education, specifying therein the site to which the schoolhouse is proposed to be removed, and being also accompanied by a written memorandum from the owner or lessee of the contemplated site, offering to execute a deed or lease thereof to the Board of Education, or to the trustees of such school, for the purposes thereof. It shall be lawful for the said Board, if they see fit so to do, to make an order for such alteration to be made when and so soon as the contemplated site shall be conveyed to the Board of Education, or otherwise, in accordance with the last preceding section of this Act.

Board may
alter bound-
aries of
School Dis-
tricts, &c.,
and change
sites of
school-
houses
therein.

XVI. The Board of Education, for the time being, with the consent of the Administrator of the Government in Council, and without appointing Commissioners for that purpose, as hereinafter mentioned, may alter, enlarge or diminish the size or boundaries of any school District or Districts now or hereafter established, and also may re-arrange the boundaries and diminish the number of Districts where necessary or desirable, and, at the same time, change the site of the schoolhouse or houses therein, so as to meet the altered circumstances of the

District or Districts, and may make all orders necessary for effecting and perfecting such change of site or other alterations hereinbefore mentioned, and in any case where an application shall be made in writing to the Board, signed by at least ten inhabitants, householders, in any such District or Districts, in which any such alteration or re-arrangement is proposed to be made, requesting such alteration or re-arrangement, so as to render such District or Districts more suited to the convenience of the respective inhabitants therein, it shall be lawful for the Board, in their discretion, if they deem it necessary, to nominate and appoint three competent persons, not resident in the District or Districts, respecting which the application may have been so made, to examine into the particulars, and such persons so appointed as aforesaid, after notice of their intention so to do shall have been posted for at least six days previous on the schoolhouse in the District, or if the application shall concern more than one District, then on the respective schoolhouses in the several Districts in question, shall attend at such time and place in such District, or either of such Districts as shall in such notice be specified, and shall personally then and there proceed to make enquiry in such manner and to such extent as they, or a majority of them, shall deem requisite, and if they should be of opinion that the interest or convenience of the inhabitants would be promoted by an alteration in the boundaries of such District or Districts respectively, or should deem it expedient that such Districts should be merged into one, or otherwise re-arranged, they shall fix and decide upon

Board may
appoint 3
persons to
enquire into
and report
on proposed
alterations,
&c.

the manner or define the extent of such alteration, and shall, thereupon, report such their opinion and determination under their hands, or the hands of a majority of them, to the said Board, whose order or decision thereon, when sanctioned by the Administrator of the Government in Council, shall be final and conclusive, and, upon such order of the Board being so confirmed, the same shall be duly notified to the inhabitants of the District or Districts respectively, regarding the boundaries or extent of the alterations respecting which such determination shall have been made, by letter addressed and mailed in the General Post Office, in Charlottetown, by the Secretary of the Board of Education, to one of the Trustees of any District so altered, or wherein the site of any schoolhouse shall be changed.

Fees of
Commis-
sion.

To be paid
on certifi-
cate of
Board.

XVII. Every person who shall be appointed for the purpose in the last preceding clause mentioned, shall receive from the Public Treasury eightpence per mile for every mile necessarily travelled by him for the purposes therein mentioned, and also the sum of ten shillings collectively for the report in writing, and transmitting the same to the Board, the same to be paid on producing a voucher and certificate thereof, signed by the Secretary and three members of the Board, who shall therein state that the application on which the commission has been issued was reasonable, and if otherwise, then the expenses shall be borne by the applicants.

When site
of school-
house alter-
ed, Trus-
tees may
remove

XVIII. In all cases where the site of a schoolhouse, within any established district, is, or has been legally altered under the provisions of this

Act, or any present or former law relating to building unless, &c.
Education, and such schoolhouse is situated upon land held under lease, deed or otherwise, the Trustees of such school district shall be and they are hereby authorised and empowered to remove the schoolhouse or building from its former site, unless there be a special clause in such lease or other instrument prohibiting such removal.

XIX. All school districts as now registered by the Board of Education, are hereby declared to be established and confirmed as school districts, and shall be entitled to all the rights and benefits conferred upon or belonging to school districts to be established by this Act, notwithstanding any want of form or any error or irregularity whatsoever in the mode of making any original application for the laying off, defining or establishing of any such districts, or in any other proceeding Act, matter or thing necessary to be had, done or performed under this Act, or any former Law relating to Education, prior to or in respect of any such registration whatsoever, and a certificate of any such registry as aforesaid, or of any school district hereafter to be registered under or pursuant to this Act, granted under the hands of a majority of the Board of Education, or under the hand of the Secretary of the Board for the time being, shall be evidence sufficient and conclusive of the establishment and boundaries of such district respectively, in all actions, suits or other proceedings in any Court of Law or equity, or before any Court or tribunal whatsoever, in all matters touching or relating to such school district or the school therein, or where it may be neces-

All School Districts formerly registered confirmed, notwithstanding want of form, &c.

Certificate of Registry signed by Secretary, &c., to be conclusive evidence of establishment of school-house, &c., of district.

sary to prove the establishment and boundaries of such district.

Mode of
proceeding
where
schools are
within 3
miles, and
scholars in-
sufficient
in number.

Disputes,
how settled

XX. If any school in a district established by the Laws heretofore enforced, and claiming maintainance under this Act shall be nearer to any other school established, or to be established, than three miles, and it shall appear to the Board of Education, either from the paucity in the number of scholars attending the same, or either of them, or other local circumstances, that both the said schools should not receive such maintenance at the same time, or if a dispute should arise between the inhabitants of such districts as to which is entitled to maintenance, or most entitled to receive the same, and an application shall be made in writing to the Board of Education, signed by at least five inhabitants, householders, in such district, or either of them, to have the dispute decided, then, and in either of such cases, it shall be lawful for the Board of Education, if it thinks the circumstances of the case require it, to nominate and appoint three persons, being Justices of the Peace or Commissioners for the Recovery of Small Debts, resident near to, but not being resident or interested in either of the districts, to examine into the particulars, and such Justices or Commissioners, after notice of their intention so to do, shall have been duly posted, for at least six days previous, on each of the schoolhouses, shall attend at such time and place in either of the said districts, as shall in such notice be specified, and shall personally then any there proceed to make enquiry in such manner and to such extent as they, or a majority of them, shall deem requisite, and shall, thereupon fix and deter-

mine which of the said schools in the districts in dispute is most entitled to maintenance, and if they think that either of the schoolhouses should be removed to any particular site so as to form a new district entitled to maintenance, they shall fix upon the same and report such their opinion and determination under their hands, or the hands of a majority of them, to the Board of Education, whose decision thereon shall be conclusive, and the said Board of Education shall be, and they are hereby empowered to withhold or suspend the maintenance claimed by such schools, or either of them, and either entirely or until such time as the schoolhouse shall have been removed in accordance with the opinion or recommendation contained in the report of the Justices or Commissioners, or to make such other order therein as to the said Board shall seem meet, and such order and determination of the Board of Education shall be duly notified to the inhabitants of the district in dispute, in manner as pointed out in the sixteenth section of this Act.

School-house may be removed in order to form new district.

Board empowered to suspend maintenance, &c., in certain cases.

XXI. Each Justice of the Peace or Commissioner of Small Debts nominated and appointed for the purpose in the last preceding section mentioned, shall be entitled to receive from the Treasury of this Island the sum of eight pence per mile for each mile necessarily travelled by him to and throughout such School District, and also the sum of ten shillings collectively for the report in writing and for transmitting the same to the Board; the same to be paid on producing a voucher or certificate therefor, signed by the Secretary and three members of the Board.

Mileage to be allowed to Justices, &c., under preceding section.

Mode of
proceeding
to establish
new school
districts &
sites for
school-
houses.

XXII. When and so often, after the passing of this Act, as the inhabitants of any Settlement, Township or District, shall desire the erection of a new school district near to their places of residence, and when not less than five such inhabitants, being householders, shall make request in writing, intimating such their desire to the Board of Education, then it shall be the duty of the Board of Education to nominate and appoint a Justice of the Peace or Commissioner of Small Debts, residing near to, but not being a party interested in such proposed district, to examine into the same, and it shall be the duty of such Justice or Commissioner, after notice of his intention for such purpose having been duly posted for six days, in three of the most public places in the settlement or district where such inhabitants reside, to attend at the place in each district named in the notice, and there personally to make such enquiry in such manner and to such extent as by him shall be deemed requisite, and thereupon to fix and determine upon the most proper and eligible site or sites for such schoolhouse, or schoolhouses, and the proper limits and boundaries of the district or districts thereof, and shall report such his opinion and determination, in writing, under his hand, to the said Board of Education, whose decision thereon shall be conclusive, and if the said Board shall approve of the erection of any such school district, and the special order and sanction of the Lieutenant Governor in Council for that purpose, as hereinbefore required in such cases, can be obtained, they shall notify the same to the said inhabitants, and, on the other requisite for school districts being com-

plied with, shall cause the said district to be registered in the Book to be kept by the Secretary, as hereinbefore mentioned, and the Justice of the Peace or Commissioner of Small Debts shall be entitled to the same fees as in the twenty-first section of this Act mentioned.

XXIII. When any new School District shall be hereafter applied for and erected, and the School Visitor for the County wherein the said district is situate, shall certify that the inhabitants thereof are in poor circumstances and require pecuniary assistance to enable them to build a schoolhouse therein, then it shall be lawful for the Lieutenant Governor in Council to grant the sum of five pounds to the Trustees of such district to be expended in erecting such schoolhouse.

Allowance to districts requiring assistance to build school-houses.

XXIV. Every schoolhouse hereafter to be erected and used as such, within any district now or hereafter established under this Act, and not already contracted to be built, shall not be less in clear area than four hundred square feet, nor in the height of post than ten feet clear between the floor and ceiling, or to be built nearer to the highway than ten yards.

Dimensions of school-houses.

XXV. In all cases where a schoolhouse is now or shall hereafter be erected on Church grounds, and the trustees or managers of such Church property are desirous of obtaining the benefits of this Act, and of having such school established as a district school, a lease of such schoolhouse shall be given by the parties in whom such property is vested, or who shall have the legal control over the same, to the Board of

School house erected on Church grounds, how to obtain benefits of this Act.;

Education, for the time being, to hold to them and their successors in office for such term as may be required for the purposes of this Act, or as may be agreed upon in that behalf.

School-house may, with assent of majority of Trustees, be used by master for night classes.

XXVI. The public schoolhouse in every district established or regulated under this or any former Act relating to Education, may, with the consent of the majority of the trustees thereof, be used by the licensed teacher thereof, for the purpose of teaching night or evening classes therein, for his or her own benefit, and such schoolhouse may be used as a place of worship, or for any other lawful public meeting, with the consent of the trustees, as aforesaid, and at such time as they may appoint; provided always, that in no case shall it interfere with the duties of such licensed teacher, and provided further, that the Board of Education shall have full power to prevent any such public schoolhouse being used at any time during the regular school hours in each day for any other purpose, or by any other person than such licensed teacher, for teaching a public school therein under this Act.

Average number of scholars in daily attendance to be 20, where children number 40.

XXVII. The average number of scholars for daily attendance at district schools, shall hereafter be in the following proportion to the number of children, between the ages of five and sixteen years, in such districts respectively, that is to say, in districts where there are forty children and upwards, but less than fifty, within the ages aforesaid, the average number of scholars for daily attendance shall be twenty. In districts where there is the number of fifty

children, and less than sixty within the ages aforesaid, the average daily attendance, shall be twenty-five scholars, and in districts where there are sixty children and upwards, the average daily attendance at the school therein shall be thirty, and in all cases where the average daily attendance of scholars at such schools shall hereafter be found to be less than the numbers hereinbefore prescribed for such schools, respectively the salary allowed by this Act, to the Teachers of such schools shall be reduced; such reduction to bear the same proportion to the number of schools deficient of, or less than the aforesaid averages respectively, as the said Teacher's salary bears to such average, which said average shall be reckoned half yearly, and all parents of children within the bounds of such district, shall be liable to make up and contribute towards such deficiency in proportion to the number of children within the said ages, which such parents may have respectively, and in default of such contribution, after the same shall have been duly demanded, the said amount so to be deducted from the said salary shall be raised by an assessment to be levied by the Trustees, on the parents or guardians of all children in the said school district; such assessment to be apportioned as to them, or a majority of them, shall, under the circumstances of the case, and due regard being had to the means of the various parties, appear just and reasonable, and to be levied, raised, and recovered, in such manner, and subject to such rules, conditions, and regulations, as are prescribed for levying or recovering assessment by this Act.

Where average to be 25

Where 30.

Reduction of teacher's salary for deficiency.

How reduction to be made up by parents, &c.

XXVIII. No Schoolmaster or Teacher shall

No school-master entitled to allowance unless school-house be first provided.

be entitled to any allowance by virtue of this Act, unless the inhabitants of his, or her school district, shall have first provided a sufficient schoolhouse to be exclusively used for that purpose, (except as in this Act provided) and also that there have been, at the least, forty children between the ages of five and sixteen, resident within his or her school district for the six months immediately preceding the period of his or her claiming his allowance, and that the average daily attendance of scholars during the said six months, shall not have been less than twenty. Provided always that this provision shall not extend to school districts now or hereafter to be registered under this Act, in which there shall not be the number of forty scholars within the aforesaid age residing, if the daily average attendance of such children at the school therein amounts to twenty.

Provido.

Provision for settlements where 40 children cannot be found.

XXIX. And whereas there are certain settlements in this Island not included within the limits of school districts heretofore established, and where the requisite number of forty children, within the ages of five and sixteen, cannot be found within one and a half miles of a central part, then and in every such case on a written requisition made by the inhabitants thereof, to the Visitor of Schools for the County wherein the said settlement is situate, it shall be the duty of the said Visitor to enquire into the circumstances of such application, and as to the number of children within the ages aforesaid within the said limit, and the said Visitor shall make a report in writing to the Board, who having duly considered the circumstances of the case, may, if they think proper so to do, and

Board on report of Visitor, may establish minor district.

subject to the approval of the Lieutenant Governor in Council, authorise the erection of such settlement into a minor school district, and the registration thereof as such, and building Committees and Trustees may thereupon be appointed for such minor district in the same manner as in other cases, and such Trustees may be annually elected, and shall have the same powers as Trustees in those districts where the requisite number of forty scholars can be found, and the teacher engaged to teach in such minor district where the number of scholars is less than forty, shall also be subject to the same rules and regulations as in cases where there are forty scholars, and shall be entitled to receive from the Treasury of this Island, on production of certificates signed as in other cases under this Act by the Trustees of the district and the Secretary of the Board of Education, if such teacher be a male, the sum of thirty shillings per annum for each scholar taught by him, calculating the same according to the daily average attendance, as shown by his Register or Journal; and if a female teacher, the sum of twenty shillings per annum for each scholar taught by her in like manner; such certificate to state the number of scholars actually taught according to such daily average.

XXX. There shall be only two classes of district school teachers or masters, exclusive of Grammar School masters, who shall be licensed to teach in this Island, of whom the first or lowest class shall be competent to teach Book-keeping, English Grammar, Reading, Arithmetic and Geography, without the use of the Globes; and of whom the second or higher class

To be registered, &c., as other districts.

Teacher to receive thirty shillings for each scholar.

Qualification of Teachers.

1st class.

2nd class.

shall, in addition thereto, be competent to teach Algebra, Geometry, Trigonometry, Mensuration, Land Surveying, Navigation and Geography, with the use of the Globes; and candidates for either class shall prove their capability to teach to the satisfaction of the Board of Education, who shall, in their discretion, grant a certificate or license to any such candidate.

School allowance may be withheld until prescribed regulations observed, &c.

XXXI. All schools claiming allowance to Teachers therein under this Act, wherein the books, regulations, and system of Education prescribed, or to be prescribed by the School Visitor for the County where the same are situate, or the Board of Education shall not be observed and adopted, shall, if the said Board shall see fit and make an order to that effect, be refused or deprived of such allowance until such time as such books, regulations, and system of Education shall be observed and adopted.

Exempt teacher from statute labor, &c.

XXXII. All Teachers while conforming to the provisions of this Act, shall be exempt from Statute Labor and Militia duty, and attending on Juries and Assessment for Educational purposes under this Act.

Teachers under 21 years of age, where allowed.

XXXIII. Any Teacher under the age of twenty-one years, shall not be permitted to enter into an engagement with the Trustees of the school district in which he may have been brought up, without first obtaining the consent of the Board of Education thereto.

Teacher not to embark in mercantile pursuits &c.

XXXIV. No Teacher, while receiving pay under this Act, shall be allowed to embark in any mercantile pursuit, or follow the occupation of a Tavern Keeper.

XXXV. When any child shall not reside within any school district, the school of which is not in operation, such child shall be entitled to attend at the nearest school district the Teacher whereof shall be receiving pay under this Act, and such Teacher shall be bound to receive and instruct every such child, unless the number of children already in attendance at his school shall exceed fifty.

Child not in any district may go to nearest school.

XXXVI. The Trustees of any school constituted or regulated under this Act, or under any former Act relating to Education, shall have and be vested with full power and authority to expel any scholar for gross misconduct or misbehaviour.

Expulsion of scholars when authorized.

XXXVII. All males and females over five years, and not exceeding seventeen years of age, residing in any school district in this Island, shall be entitled to attend the school therein, the Teacher whereof shall receive pay under this Act, and the said Teacher shall be bound to receive and instruct all such children.

All children over 5 and not exceeding 17, may attend.

XXXVIII. In all cases the vacation of each school constituted and regulated under this Act, or now in operation, excepting always the schools in Charlottetown and Georgetown, shall be two in number in each year, that is to say a spring vacation extending from the tenth day of May to the thirty-first day of the same month, and an autumnal vacation of twenty-one days, to take place in the month of October, and which shall be fixed by the respective Trustees of the several schools, and no deduction shall be made from the salary of the Teacher, nor any

Number of vacations in each year.

time added to the period of his service on account of such vacations being allowed, and every alternate Saturday shall be allowed as a holiday to the Teacher in each district school.

Inhabitants
of a district
to appoint
Trustees.

XXXIX. The inhabitants of any school district within this Island, who shall have provided a schoolhouse therein, in conformity with all the provisions of this Act, shall, and they are hereby required to nominate and appoint five Trustees, such nomination and appointment to take place at a meeting of the inhabitants of such district, called by a written or printed notice, signed by at least three resident householders within said school district, and posted in at least three of the most public places within the same seven days prior to such meeting, which notice may be in the form of the Schedule to this Act annexed, marked (D.), and a majority consisting of a least nine persons, of the resident householders present at such meeting, shall be competent to appoint such Trustees, and it shall be the duty of such Trustees, three of whom shall be a quorum, to examine the school of said district quarterly in each year, and at all times in conjunction with the Visitor of Schools for the County, to inquire into the order and direct the discipline and regulations of such school, and also to give any licensed Teacher who has had the management thereof, the necessary certificates required by this Act; and it shall be the further duty of such Trustees to forward a notice of their appointment, immediately after such appointment, to the Board of Education, provided always that where the appointment of the Trustees of the school in any school district, shall have have

Duties of
Trustees.

been made under and by virtue of the laws heretofore in force, relating to Education, and such Trustees shall be in the office at the passing of this Act. They shall continue and be held to be the Trustees of such school, under and for the purposes of this Act.

Trustees in office at passing of Act confirmed.

XL. In order to obviate the necessity and consequent expense of a more formal proof of the calling of any meeting, for the appointment of Trustees under this Act, or any former Act relating to Education, an affidavit of the posting of such notices for the calling of such meeting, shall in all cases of the appointment of Trustees which shall hereafter take place, be made by the person posting such notices, or other person who can prove the fact of the several notices having been duly posted before any Justice of the Peace, for the County wherein the school district is situate; which affidavit shall be in the form, or to the effect, prescribed in Schedule (E), to this Act annexed, and shall be affixed to the Register or books of record kept by the Trustees of the school therein; and a copy of such affidavit, certified by any two of the Trustees of said school for the time being, shall be *prima facie* evidence in any Court of Law or Equity, or before any Court or tribunal, or persons whatsoever, of due notice of such meeting having been given.

Mode of proving proceedings to elect Trustees, &c., printed out and simplified.

Schedule E.

XLI. In each school district now erected, or hereafter to be constituted by virtue of this Act, a majority of the Trustees thereof shall have power to assess all the inhabitants, householders, resident therein, who shall have a child or children within the ages of five or seventeen

Trustees may assess householders, being parents or guardians of children, for books, maps, and fuel.

Power to
apportion
assessment.

years, of his own, or under his care and guardianship, and who shall have been so resident for six months previous to the making of the assessment; and no other person or persons whomsoever, in a sum to provide the necessary books and maps directed to be found by the School Visitor, and the fuel required therein, and such Trustees as aforesaid, or the majority thereof, are hereby empowered to apportion the said assessment between such resident householders, according to the number of children within the ages aforesaid respectively, belonging to them. The assessment upon each parent to be increased in proportion to the number of his or her children within such ages; and such assessment shall be recoverable with costs as hereinafter, in the forty-ninth section of this Act directed. And when recovered shall be applied for the purposes for which the same shall have been levied.

School
books or
maps may
be ordered
by Trustees.

XLII. The Trustees of any district school, or a majority of them, shall have power to order books or maps to be provided for the use of such schools; and shall have power to assess the resident householders having children, as in the last preceeding section mentioned within the said district, for the cost of such books and maps; and which assessment shall be recoverable with costs, in the manner pointed out by the forty-ninth section of this Act.

No sum to
be paid by
parents,
&c., for
children
going to
school
thereunder.

XLIII. No parent or guardian, or other person, shall be liable or required to pay any sum or amount, per head or otherwise, for or on account of any child attending any school, the Teacher whereof shall receive pay under the

authority of this Act, provided always that nothing herein contained shall extend or be construed to extend, to prevent the inhabitants, or any one or more of the inhabitants of any school district in this Island from voluntarily subscribing any sum or sums of money whatsoever, towards the pay or support of the Teacher of the school therein, in addition to the allowance to which such Teacher may be entitled under this Act. And in all cases where any such voluntary subscription may be entered into, and signed by any inhabitant or inhabitants as aforesaid, either as an inducement to any efficient master to take charge of a school, or for any other reason whatsoever. The Master or Teacher of the said school shall be entitled to demand and receive from the person or persons respectively, signing the same, the amount of his or their respective subscriptions, in accordance with the terms thereof; and in default of payment, such teacher shall be entitled to sue for the same, in manner by law provided for the recovery of small debts.

Proviso.

Voluntary subscription to support of Teacher.

Master, &c., may enforce payment of voluntary subscriptions.

XLIV. Two of the Trustees of every school appointed by virtue of the Laws heretofore in force, or hereafter to be appointed by virtue of this Act, shall, in rotation, go out of office in the month of July in each year, commencing with the two members first nominated and appointed. And the inhabitants, resident householders in such district, wherein is the school to which they shall be appointed Trustees, at a meeting to be held on any day in the month of July, yearly; and to be called by the Trustees of said school after notice thereof given in the manner provided by the thirty-ninth section of this

Two Trustees to go out in rotation annually, and two others to be elected in their stead.

Act, shall elect two new Trustees in their stead, having the like power and authority; and until such election shall be had, the two retiring Trustees shall remain in office, provided nevertheless, that if the said inhabitants think fit, they may re-appoint, at the bottom of the list, such Trustees going out by rotation, and immediately after such election or re-election. And whether new appointments be made or not, the Trustees of said school shall notify the proceedings to the Secretary of the Board of Education.

Vacancies
in Board of
Trustees,
by death,
absence,
&c., how
filled up.

XLV. In the event of any vacancy or vacancies occurring from time to time, in any Board of Trustees for any school district, appointed or elected by virtue of the laws heretofore in force, or hereafter to be appointed or elected under this Act, by reason of the death, absence, or refusal to act, of any Trustee or Trustees after his or their appointment or election. The inhabitants, householders of such district, are hereby empowered to proceed to call a meeting in the same manner as provided for the first or annual meeting of Trustees, and to choose or elect one or more person or persons to supply such vacancy or vacancies. And the Trustee or Trustees so chosen or elected, during the currency of any year, shall have the same power in all respects, as if he or they had been elected at the commencement of the year, or at the last previous general election of Trustees.

In cases of
doubt, &c.,
Board may
order new
election of
Trustees.

XLVI. In the event of any disputes or doubts arising or existing as to the legal election or resignation of any School Trustee or Trustees, or the right of any person or persons to assume

the office or exercise the duties of Trustee or Trustees of such school, the Board of Education are hereby authorized and empowered to inquire into and determine the same, and, if they deem it advisable, on any account, to order a new election of the whole, or any less number, of the said Trustees, and, for the better ascertaining the truth in such case, to require the personal attendance before the said Board, and to examine, on oath, any witness or witnesses, whose evidence may be deemed necessary on such enquiry, and any witness who shall refuse to attend so to be examined, after his reasonable expenses for doing so shall have been tendered to him, shall be liable to pay to the party complaining, a fine of not more than five pounds, nor less than one pound, the same to be recovered, with costs, in such manner as debts under the Act relating to Small Debts are now recovered.

Examine
evidence,
&c.

XLVII. In case the said Board shall order a new election of Trustees, a day, hour and place, shall be named in such order for that purpose, and a copy thereof shall be posted on the school-house of the district, at least six days before the day so named, and the inhabitants, who shall thereupon assemble, shall then and there elect the necessary number of Trustees, who, on being confirmed by the Board of Education, shall be deemed to be in office until the first day of July next, after the date of such election, or until some new election duly authorized shall take place.

Time and
manner of
holding
new elec-
tion of
Trustees.

XLVIII. In all cases when it may be necessary to prove the appointment of Trustees ap-

Proof of
appoint-
ment of
Trustees,
how made.

pointed by virtue of the Laws heretofore in force, or hereafter to be appointed by virtue of this Act, in any Court of Law or Equity, or before any Court, tribunal or persons, whatsoever, a certificate stating the facts of such appointment, signed by the Secretary of the Board of Education, shall be good and sufficient *prima facie* evidence of such appointment in all matters and questions touching the school district or the school, respecting which such appointment shall have been made, or in any manner in which such appointments shall come in question.

Board of
Trustees to
keep re-
cord of pro-
ceedings.

XLIX. Every Board of Trustees of school districts, appointed under, or by virtue of the Laws heretofore in force, or to be appointed under this Act, shall keep a book or record in which their proceedings shall be entered, and the minutes of each appointment hereafter to be made of Trustees in any district after their election as aforesaid, and their names shall be entered and signed by the Chairman of the meeting of inhabitants at which such Trustees shall have been elected. In such book or record, which shall afterwards be so kept by the Trustees as aforesaid, and when so signed, such appointment shall be held and be deemed to be good and valid, and minutes of future meetings and proceedings, elections and re-elections, shall be entered therein, signed by any three of the Trustees for the time being, and the particulars of all assessments made by any such Trustees, shall be also duly entered and signed by any three of them, and the said book or register shall be open to the inspection of all resident householders of the district, and the School Visitor of the County, and if any such assessment shall

not be paid by any party liable to pay the same within ten days after a demand thereof made upon, or at the residence of the debtor, by one of the Trustees or some party authorized by a majority of said Trustees in writing, to collect the same, and produced to the debtor, then and in every such case, the said Trustees or any one or more of them, or such other person as the majority of them may appoint, and in the name of any one or more of the said Trustees may sue the debtor before any Court for the recovery of small debts, or Justice of the Peace, by summons or otherwise under such regulations as may at the time be by law prescribed for the recovery of small debts. And it shall be lawful at the hearing of such cases for the defendant, if he shall see fit, to plead the inequality of the rate, provided he give notice of his intention to do so in writing, to the Trustee or Trustees, or other person in whose name the summons shall have been taken out, within twenty-four hours after the serving of the same; and if he shall so plead, then it shall be lawful for the said Court for the recovery of small debts, or Justice of the Peace, before whom the summons shall be returnable, to hear such evidence as may be adduced by either party, and to vary the amount of rate and make an order for such amount of payment as justice may require. Provided nevertheless, that if the defendant making such plea, shall have at any time theretofore acquiesced in the justice or equality of such rate, by having on occasion of any former assessment, paid his proportion or quota thereto, or any part thereof at a similar rate or proportion, then such Small Debt Court or Justice of

Mode of
recovering
assessment,
&c.

Inequality
of assess-
ment, how
pleaded, &c.

the Peace, shall not¹ permit the same to be heard, or any evidence connected therewith to be adduced, but shall order the reasonable costs incurred by the plaintiff or plaintiffs, to be paid by the defendant.

Book kept
by Trus-
tees to be
prima
facie evi-
dence, &c.,
of matters
therein re-
corded.

L. The book or record to be kept by the Trustees of the several school districts constituted under the several laws heretofore in force,—or this Act—and signed by the persons and in the manner mentioned, and set forth in the last preceding section, shall be good and *prima facie* evidence of the truth of all statements, minutes, matters, and things therein contained and set forth in any Court of Law or Equity, or before any Court, tribunal, or persons whatsoever, whether such statements, minutes, matters, or things, shall relate to meetings of the inhabitants, the appointment or election of Trustees, or re-elections thereof; assessments upon the inhabitants, or other proceedings whatsoever of such Trustees, and of the regularity and correctness of all acts, matters and things, relating to, or connected with such proceeding so entered, and set forth in such book or record.

Trustees
assess
house-
holders to
build or re-
pair school-
house, or
procure
furniture.

LI. Where the erection of a new school district shall be sanctioned, by order of the Administrator in Council under this Act, or in any school district already established, if the majority of the inhabitants, resident householders therein, respectively, shall decide upon erecting a new schoolhouse within the same or enlarging, or completing any schoolhouse already erected, or rebuilding or repairing the same, when decayed, or procuring furniture for the schoolhouse, it shall be lawful for such majority of

resident householders to meet together and appoint a Committee of five persons. If in a newly erected district, or if in a previously established district, to make an order to give directions to the Trustees of such district for the time being, to assess the several resident householders within the same, respectively, for the erection of such schoolhouse, or for enlarging, completing, re-building, or repairing the same, as aforesaid or for procuring furniture for the schoolhouse, as the case may be, and to superintend the same; and which schoolhouse, as to size, shall be in conformity with, and not of less dimensions than those prescribed by the provisions of this Act; but may be larger if a majority of said resident householders shall so order at such meeting, and a plan and specification of such schoolhouse, so to be erected, or of the contemplated enlargement, manner of completing, rebuilding or repairing the same, or of the furniture required, having been submitted to, and approved of by a majority of such resident householders, the said Committee or Trustees, as the case may be, shall thereupon have full power to make such assessments as aforesaid, for any of the purposes above mentioned; due regard being had in apportioning the amount of assessment to be paid by each resident householder under this section, to his or her circumstances and means, and the benefit to be received by him or her from the same.

Plan, &c.,
of proposed
school-
house, to be
first sub-
mitted to
meeting,
&c.

LII. In the event of any one of such resident householders in any such district as aforesaid, refusing to pay the amount for which he shall be so assessed, within fifteen days after the same shall be demanded of him or her, by or

Committee
or Trustees
empowered
to levy and
sue for as-
sessment,
&c.

on behalf of such Committee or Trustees, respectively, as aforesaid, or after a memorandum of the amount of such assessment signed by a majority of said Committee, or Trustees, as the case may be, or a copy thereof shall be left at the dwelling house of such inhabitants, it shall be lawful for the said Committee or Trustees, or any one or more of them, respectively, in the name of the whole, to sue for and prosecute the debt or before any Court for the recovery of Small Debts, or Justice of the Peace, by summons or otherwise, under such regulations as are by law prescribed for the recovery of Small Debts; and it shall be lawful at the hearing of any such case, for the defendant to plead the inequality or excessive amount of the rate, provided he or she gives notice of his or her intention to do so in writing, to such Committee or Trustees aforesaid, as the case may be, or to one or more of them in whose name or names the summons shall have been taken out, within forty-eight hours after the serving of the same, and if he or she shall so plead, then it shall be lawful for the said Court, before which the summons shall be returnable, to hear such evidence as may be adduced by either party, and to vary the amount of the rate, and make an order for such amount of payment as justice may require.

Clergymen,
Judges, &c.,
may visit
public
schools, &c.

LIII. All Clergymen, Judges, Magistrates, and members of the Legislature, shall have power to visit any public school under this Act, and to inquire into the management thereof, or any other object connected with its prosperity; and may note down in a Visitors' Book, which shall be kept by every Teacher, for that pur-

pose, any omission observed in that department, or any other remarks relating to the school.

LIV. Every Licensed Teacher shall hereafter keep a Register Journal of his school, which shall be kept in the schoolhouse (until sent in as hereinafter mentioned) containing the names and ages, with notes of the progress and attendance of the pupils; and the said Journal shall at all times be open to the inspection of the School Visitor of the County, and Trustees of said school, and other persons authorized to visit the same, as in the last preceeding section mentioned, and also any member of the Board of Education, who may visit such school, and such Journal shall, at the termination of the Teacher's engagement, be by him or her forwarded to the Secretary of the Board of Education.

Teacher to keep a register open to inspection of Visitor, &c.

LV. Where any schoolhouse within the meaning of this Act, or any former law relating to Education, has been, or shall hereafter be erected on any site or piece of ground, with the consent of the owner, occupier, or tenant of such land; and such site and schoolhouse have also been recognized by the Board of Education, as the legal site and schoolhouse for the district, wherein the same are situate. Then and in such case, it shall be illegal for the original owner, tenant or occupant of such land, or any person or persons in trust for such owner, tenant or occupant, by deed or otherwise, whether registered or unregistered, in any manner to interfere with such site or schoolhouse thereon erected, or to prevent the free and peaceable possession and use thereof, and access thereto

Where a schoolhouse has been built and re-organized by Board of Education, it shall be illegal for original owners, &c., to interfere with the same, &c.

and thereover by, or to the Trustees, Masters, or children, or the inhabitants of the district or Board of Education, or others, for the purposes of Education, unless such interference shall be expressly sanctioned by the terms of any Deed Lease or agreement, given by the owner, tenant, or occupant of, or person entitled to the land, on which the schoolhouse is, or shall be erected, and any conveyance or deed of the site, heretofore made, or hereafter to be made, shall be ineffectual to pass any estate therein, so as to enable the grantee, or re-lease, or person to whom it is or shall be conveyed, to interfere with such site or schoolhouse thereon, or any of the aforesaid parties in the free and peaceable use, occupation, and possession of the same as aforesaid.

Number of
male
schools in
Charlottetown and
Royalty.

House-
holders to
elect Trustees.

LVI. From and after the passing of this Act, the number of male district schools for Charlottetown and the Common and Royalty thereof shall not exceed nine, and it shall be the duty of the resident householders within such districts respectively, having children under the age of seventeen years, to meet together, from time to time, as the necessity shall arise, for the purpose of electing Trustees, in the same manner, in all respects, as is provided by this Act for the election and re-election of Trustees for the ordinary school districts.

Board may
divide
Charlottetown and
Royalty into districts,
and re-
arrange the same when
necessary.

LVII. The Board of Education shall have power, from time to time, when they shall deem expedient, to divide the City of Charlottetown, and the Common and Royalty thereof, into school districts, the whole not to exceed the number of nine, including those now established,

and to alter such division from time to time, and re-arrange such districts as occasion may require, and such division or alterations shall be notified by advertisement in the *Royal Gazette* newspaper, from time to time, immediately after the same shall have been made. Provided always, nevertheless, that, until any new division or alteration be made and announced, the districts as now constituted and in operation, shall continue and be in force.

Old districts confirmed until alteration, &c.

LVIII. There shall be allowed in Charlotte-town, and the Common and Royalty thereof, not more than three masters of the highest or second class, who shall be assigned by the Board of Education to such districts (with the consent of the Trustees thereof,) within the said City, as they may deem advisable, having a regard to the ages and state of proficiency of the children in the several districts, and giving preference to the districts in which shall reside those most advanced or proficient, and for each of the other districts in the said City, Common and Royalty, there shall be employed a master or teacher of the first or lowest class; provided always, that, if the inhabitants of any one of said districts, instead of sending their children to the school in their own district, if such shall be in operation, shall send them to the school in any other district of the Town, Common or Royalty, they may do so, unless the children at such last mentioned school shall exceed sixty in number, in which case, upon a representation made by the Trustees of such last mentioned school, or other persons interested therein, or who shall desire to send their children thereto, of the necessity of having an additional master or teacher as an

Three Teachers of highest class in Charlotte-town.

Proviso.

Board,
where
number of
scholars
require it,
may ap-
point assist-
ance under
certain
limitations,
&c.

No Teacher
in Char-
lottetown
to draw
salary un-
less he
shall have
taught 30
scholars.

Amount to
be paid for
scholars, in
Charlotte-
town
schools to
procure
fuel, &c.

assistant therein, it shall be competent for the Board of Education to enquire into the matter, and, if they see fit so to do, to appoint an additional master or teacher, of either class, as an assistant Teacher in such school; provided further, that the Board shall not have power to appoint such assistant master or teacher if the number of masters and assistants in Charlottetown, Common and Royalty, then actually engaged and receiving Government pay, exclusive of the masters and teachers of the Normal Female Schools, shall amount to twelve; provided further, that no teacher in Charlottetown, under this Act, shall be entitled to a salary unless he or she shall have taught at least thirty scholars, and shall produce certificates to that effect.

LIX. The scholars receiving instruction in Charlottetown, and the Common and Royalty thereof, at any of the schools therein receiving support from the Government, shall pay, at the time of their first admission into said schools, and thereafter quarterly, in advance, each the sum of one shilling and sixpence, to be collected by the Teacher of each school and paid over, if a district school, to the Trustees thereof, and if a Female School, to the Secretary of the Board of Education, and to be applied by such Trustees, as the Secretary of the Board, respectively, to the purchasing of fuel and the payment of rent, and the cost of repairs of such school-houses, and other necessary purposes, and if such Trustees, or the Board of Education, respectively, shall find that the said quarterly payment is not sufficient in amount for the purchase of fuel and other purposes as aforesaid,

then the said Trustees, or Board of Education, respectively, may order and require a further payment to be made by each scholar, not exceeding, however, in any case, the sum of three shillings, quarterly, in addition to the first mentioned quarterly payment of one shilling and sixpence, and if the said sums, or either of them, be not paid, the scholars in default shall be debarred from further instruction until the same is paid, and the same shall be recovered by the Teacher, in the name of any one or more of the Trustees, or of the Secretary of the Board of Education, respectively, before the Court of Commissioners for the recovery of Small Debts, in Charlottetown, from the parents or guardians of the children so in default; provided always, that it shall be the duty of the Board of Education, from time to time, to inspect the rooms in which the various schools receiving support under this Act, in Charlottetown, shall be conducted or placed, and if they shall find the accommodation afforded, in any case, insufficient for the number of children taught, or the condition or position of the schoolhouse, or room, otherwise objectionable, on the score of situation ventilation or otherwise, the Board shall be authorized to order the school to be removed to some other house or room which they may be able to secure, and shall think more fitting for the purpose, and the quarterly fees in such case shall be paid by the Teacher of the school to the Secretary of the Board of Education, to be applied to the payment of rent, fuel, and other necessary purposes, and the Board shall, in each case, have power, if they find it necessary, to increase the quarterly payment to be made by

Made of recovering same, &c.

Board to inspect school-rooms, and if unfit, may order removal & provide others and receive fees paid by scholars, &c.

Power of Board to increase fee charged

each scholar, up to, but not exceeding the full amount prescribed by the present section of this Act, and the Board shall also have power to ordain two schools, to be kept in one building, if they deem it necessary, and can procure one sufficiently capacious for the purpose, and in any case where the Trustees of any school in Charlottetown or Royalty, shall neglect to appoint a proper Teacher, the Board shall have power to nominate and appoint one on its own responsibility.

Board may include Township lands, adjoining Royalty, in districts with Royalty schools

LX. The Board of Education shall have power to include the farms of Township Lands, fronting on the back Royalty Road of Charlottetown Royalty, in the same district or districts, with the Royalty district schools, or one or other of them, according to their situations. And the inhabitants of such farms, in accordance with the terms of any such order by the Board of Education, shall be entitled to send their children to the school named in such order, and be liable to pay the same assessments and rates, or charges for fuel, furniture and books, for such school, or for keeping up or repairing the same, as the inhabitants of the Royalty are liable to.

Six female schools in Charlottetown, if necessary, exclusive of Orphan schools.

LXI. There shall be allowed for Charlottetown, under this Act, six female schools, if found necessary, exclusive of the Orphan School, with female Teachers. And when, so soon as there shall be more than fifty scholars in attendance at each of the said female schools, and it shall appear to the said Board, that there is a sufficient number of scholars above said number, to render it desirable or requisite to

Assistants when allowed.

have further assistance, then the said Board may establish one or two more schools, and appoint one or two female Teachers thereto.

LXII. The school heretofore established in Charlottetown, for the benefit of orphans and children of destitute parents, resident in Charlottetown, shall be continued as now in operation, and shall be open as heretofore, free of charge, to such children. And the Board of Education shall, from time to time, appoint a competent Teacher of either sex for such school, who shall be entitled to receive therefor, a salary of not more than fifty pounds per annum, payable out of the public Treasury of this Island, in such manner and under and subject to such restrictions and regulations as shall be prescribed by the Board of Education.

Orphans & destitute school, Charlottetown, continued.

Salary of Teacher.

LXIII. The Teacher of such school shall be first examined by the Board, and, if found competent, shall receive a certificate to teach the primary branches of Education, whether he or she shall or shall not be able to qualify as a first class Teacher under this Act, and the said Board may cancel and revoke such certificate, for such reasons, and in such manner as mentioned in the twelfth section of this Act.

Orphan school Teacher to be examined by Board, &c.

LXIV. Orphan children shall have preference of admission to said school, and no child shall be admitted thereto, if under the age of four years, nor continued therein if above the age of twelve years, nor shall any child be admitted unless recommended by a certificate in writing, to be signed by a clergyman, resident in the said town, and also by a member of the Board of Education.

Orphan children to have preference for admission, &c.

Expense of
Orphan
School to
be defrayed
out of
Treasury.

LXV. A sum of money sufficient to defray the expenses of fitting up said Orphan school-house, or room, and the rent thereof, with books and fuel for the same, shall be paid annually out of the public Treasury of this Island, into the hands of the Secretary of the Board of Education for such purposes, and said Secretary shall account for the same to the Board.

Orphan
School to
conform-
able to or-
dinary
School
Regula-
tions, &c.

LXVI. The said school and the Teacher thereof, shall in all respects, as far as circumstances shall admit, be conformable and subject to the several enactments, rules and regulations, prescribed for other schools and Teachers, in and by this Act, and the number of scholars to be limited for the said school, either as regards sex or the aggregate of both sexes, as well as the superiority of claims for admission thereto, shall, from time to time, as occasion may require, to be ordered and regulated by the said Board of Education.

Duty of
senior Jus-
tice,
George-
town, to
call meet-
ing to elect
Trustees,
&c.

LXVII. It shall be the duty of the senior of Her Majesty's Justices of the Peace, resident for the time in Georgetown; and he is hereby required annually during the continuance of this Act, on the first Tuesday in June, in each year, to convene a public meeting of the inhabitants, householders in Georgetown, its Common and Royalty, having children between five and sixteen years, to be holden at the Court House in said Town; such meeting to be convened by such justice giving, or causing to be given, at least eight days notice thereof in writing, the same to be published by being posted in three or more public places in said Town and Commons, and three or more public places in the said Royalty, and the inhabitants, householders,

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or a majority present at such meeting, shall elect five fit and proper persons, being also such resident householders as aforesaid, to be Trustees of the male and female schools in Georgetown now established, or to be established under this Act; and such Trustees so to be elected shall have the control of said schools, and the selection of the Teachers, and make regulations respecting the location thereof, and the Teachers thereof shall be entitled to receive payment of their salaries quarterly, by warrant on the Treasurer of this Island, on producing a certificate that the same is due, signed by a majority of the Trustees, and certified by the School Visitor and the Secretary of the Board of Education, and that the Teacher has been actually teaching the number of scholars required by Law, in the case of district schools, during the period for which the sum specified in the certificate is payable.

Election &
duties of
Trustees.

LXVIII. The children of the inhabitants of Georgetown Common and Royalty may attend the schools in Georgetown, mentioned in the last preceding section, but this privilege shall not interfere with the erection of district schools in Georgetown Royalty, in the same manner as in other districts under this Act.

Children in
Royalty
&c., may
attend
school in
Georgetown.

LXIX. The scholars receiving instruction at the said schools in Georgetown, shall pay quarterly each, the sum of two shillings and sixpence, to be collected by the Teachers and paid over to the Trustees of the said school, appointed as hereinbefore mentioned, and to be applied by them to the purchasing of books and fuel, and to pay for rent and repairs of schoolhouses

Scholars in
Georgetown to
pay quarterly, 2s.
6d. each.

If this
insufficient,
Trustees
may re-
quire more
to be paid

and other necessary purposes connected with the school, and if the Trustees shall find that the said quarterly payment is not sufficient for the purposes aforesaid, then they may order a further payment to be made by each scholar, not exceeding in any case the sum of two shillings and sixpence quarterly, in addition to the first mentioned quarterly payment, and if the said sums, or either of them or any part thereof be not paid, the scholar in arrear may be debarred from further instruction at said school, until the same be paid, and the said quarterly payment or any part thereof, shall be recoverable by the Teacher in the name of the Trustees, or a majority of them, before a Court of Commissioners for the recovery of Small Debts, at Georgetown, from the parents or guardians of the scholars.

Mode of
recovering
same.

Two Trustees
George-
town
schools to
go out of
office an-
nually.

LXX. Two of the Trustees of the Georgetown schools shall go out of office annually on the first Tuesday in July, in rotation, in the manner provided in respect to district schools, That is to say, the two persons first nominated shall go out, and the inhabitants of the said Town and the Common and Royalty thereof at their annual meeting, as hereinafter provided, shall elect two persons to supply their places. Power being nevertheless given to the said inhabitants to re-elect such two retiring Trustees, or either of them, if they shall see fit so to do; their names or the name of such one of them being then placed at the bottom of the list, and in all cases of the election or re-election of Trustees, notice thereof shall be thereupon immediately forwarded by the Trustees of said

Mode of
electing
others.

school to the Secretary of the Board of Education.

LXXI. The introduction of the Bible to be read in all the public schools in this Island, of every grade, receiving support from the public Treasury, is hereby authorized, and the Teachers are hereby required, to open the school on each school day with the reading of the Sacred Scriptures, by those children whose parents or guardians desire it, without comment, explanation or remark thereupon by the Teachers; but no children shall be required to attend during such reading as aforesaid, unless desired by their parents or guardians.

The Bible authorized, under certain conditions, to be read in schools, &c.

LXXII. Any Teacher, male or female, who shall in addition to the qualifications required by this Act, be qualified to teach the French language, and who shall have taught in his school, (French), to a class of not less than ten pupils, shall, on producing from the Board of Education, a certificate of his competency to teach the French language, be entitled to receive five pounds over and above the salary to which such Teacher may be entitled under this Act; provided the Trustees of such school district do raise the like sum of five pounds for such Teacher by voluntary subscription from the inhabitants, and provided further, that the number of Teachers receiving the aforesaid increase of salary, shall not amount to more than twenty.

Teacher who can teach French to receive five pounds additional salary, &c

Provided Trustees contribute five pounds annually.

Not more than 20 Teachers to be entitled to this increase.

LXXIII. The Normal School, at present established in Charlottetown for the training of male and female Teachers, shall be continued

Normal School continued.

under this Act, and shall be held in the building now used for that purpose.

Board to
regulate
manage-
ment of
Normal
School

LXXIV. The mode in which such Normal School shall be continued, unless when otherwise provided for by this Act, shall be ordained by proper rules and regulations from time to time, to be made for that purpose by the Board of Education, subject to the control, alteration, supervision and approval of the Government.

Normal
School
Teacher to
be appoint-
ed by Lt.
Governor,
&c.

His duties.

LXXV. The Teacher of the Normal School shall be appointed and at pleasure removed by the Lieutenant Governor in Council, and shall by himself and the Teachers being trained by him, teach the children in attendance there the ordinary branches of Education usually taught in district schools, and shall also train in the art of teaching such Teachers and candidates as may attend under certificate of admission from the Board, giving to the latter a thorough and competent knowledge of the best method of conducting a common district school, and especially teaching them the art of communicating the several branches of common school education, in a manner best suited to the capacities, ages, and conditions of the pupils who may thereafter be under their care.

Scholars
attending
Normal
School, ex-
cept those
qualifying
for Teach-
ers, and
certain
others, to
pay £2 an-
nually.

LXXVI. All students or scholars attending the Normal School (except scholars of the female school, connected with the said Normal School, and persons attending the Normal School for the purpose of qualifying themselves as district and school Teachers under the provisions of this Act) shall pay a fee of two pounds per annum to the principal Master of said school, which said fee shall be payable

quarterly in advance, and when collected, paid into the Public Treasury of this Island by the said principal Master of the Normal School.

LXXVII. Whenever the number of scholars attending the Normal School, liable to pay the sum of two pounds mentioned in the last preceding section, shall be sufficient to make the total of their respective fees equal to the sum of not less than sixty pounds per annum, then, and in such case, the Lieutenant Governor in Council shall appoint an assistant Master to the said school, who shall be paid the salary of eight-and-five pounds a year, and the amount of such fees shall be applied towards the payment of such salary, and the balance of such salary shall be paid out of the Public Treasury by warrant drawn quarterly in the usual manner.

Assistant Master in Normal School may be appointed when £60 per annum raised for fees, &c.

Salary of Assistant, & how paid.

LXXVIII. The number of scholars, in addition to Teachers, or those desirous to be trained as such, who shall be entitled to attend at such Normal School, shall be regulated by order of the Board of Education, subject to the consent and approval of the Lieutenant Governor in Council.

Number of scholars, &c., to be regulated by Board.

LXXIX. The Board of Education may, if they think fit, as heretofore, cause one of the Charlottetown female schools to be held in the aforesaid schoolhouse, in a room to be fitted up apart from the school for male scholars, to be held therein, and place the said female school and the Teacher thereof under the supervision of the principal Master of the Normal School, who shall train (if approved by the Board) Teachers, and candidates to be Teachers therein; and the Board shall have power to pre-

One of the female schools may be held in Normal School Building, &c.

scribe and ordain what children shall have the right to attend as pupils of the female department of the Normal School.

Candidates
for Teachers
entitled
to attend
Normal
School free
of charge,
&c.

LXXX. Every Teacher, whether male or female, or person who shall be a *bona fide* candidate for the office of Teacher, of whose qualification the Board shall be the judge, upon being examined by the said Board, and on producing a certificate thereof, certifying to the proficiency of such candidate, and to his or her being qualified to become a student for the office of School Teacher, shall, if he or she desire, be entitled to attend at the Normal School, and receive instruction and training in the art of teaching, free of all fees and charges, for a period not exceeding five months.

Salary of
Normal
School
Teacher.

LXXXI. The sum of two hundred pounds shall be paid to the Teacher of the Normal School, by warrant on the Treasurer, in the usual manner, payable in quarterly payments, from the date of his appointment, on his producing from the Board of Education, a certificate of his being intitled to the same.

Three
School Visi-
tors, (one
for each
County, to
be appoint-
ed.

LXXXII. From and after the passing of this Act, there shall be three Visitors of Schools for this Island; that is to say, one for each of the Counties of King's, Queen's and Prince Counties, and it shall and may be lawful for the Lieut. Governor, for the time being, in Council, as soon as this Act shall go into operation, to appoint three fit and proper persons to such offices, and to displace any such person or persons so appointed, at pleasure, and to appoint another person or persons to fill such vacancy or vacancies; and one of such three persons so appointed

shall be Visitor of Schools for King's County, one other shall be Visitor of Schools for Queen's County, and the third shall be Visitor of Schools for Prince County.

LXXXIII. Neither of such Schools Visitors shall engage in trade or business, whilst holding the office of Visitor; and it shall be the duty of each School Visitor to visit all the schools in the County for which he shall have been appointed, twice in every year, and to assist the Board of Education in prescribing the course of Education to be pursued in such schools, and the books, diaries, lists of attendances, and other records to be kept therein, and in ordering what books shall be used in the Schools, what shall be the hours of attendance of the scholars, and commencement of terms, and other necessary details connected with the management of the schools; and each of such Visitors shall have power, and he is hereby directed, whenever he shall see fit, to call a meeting of the Trustees connected with the respective schools within his County, and to make to the Board of Education a quarterly report in writing, of his visits, stating therein the condition of every school, the method of teaching practised therein, the number of scholars, state and description of schoolhouses, and whether in such schools the provisions of this Act, and the orders of the Board of Education relating to such schools have been complied with, and such other information as he may deem it necessary to give, and it shall be the duty of the Board to furnish each branch of the Legislature, within fourteen days after the meeting thereof, with such parts of said Visitor's Reports, including

Visitor not
to engage
in trade,
&c. His
duties.

Report to
Board.

Duty of
Board with
reference to
Visitors'
Reports.

the statistics thereof, as they may deem necessary, together with, if they deem fit, their own remarks thereon, and a copy of such extracts and remarks shall be published annually in one of the public newspapers of the Colony.

Visitor to
enter his
name and
date of visit
in Trustees'
book.

LXXXIV. The School Visitor of each County for the time being is hereby required, at each and every visitation made by him, to the schools of his County, to enter his name and the date of his visitation in the book or record kept by the Trustees of such schools for that purpose.

Visitors to
visit fre-
quently the
Normal
School.

LXXXV. It shall be the duty of the School Visitors to visit frequently the Normal School, and to assist the Board of Education in directing the management thereof.

Salary of
Visitors.

LXXXVI. The salary of each School Visitor under this Act, shall be one hundred and fifty pounds per annum, to be paid quarterly from the date of his first appointment, by warrant drawn in the usual manner on the Treasurer of this Island, on producing the certificate of a quorum of the Board of Education, of his being entitled to receive the same.

No Clergy-
man Teach-
er, &c., to
be liable to
assessment.

LXXXVII. No Clergyman or Minister having charge of a congregation of religion, or Teacher, or head of any Educational Establishment, whether such Establishment shall be in operation under this Act, or otherwise, in this Island, shall be liable to pay any assessment imposed by this Act for the purposes of Education.

Teacher
within 20
days to
send notice

LXXXVIII. Every school Teacher is hereby required, within twenty days after his enter-

ing into his engagement as Teacher, to transmit to the Secretary of the Board of Education a notice thereof, in writing, in the form in the Schedule of this Act, annexed, marked (B), stating the date at which he shall have entered into such engagement, and the day on which the school under his charge shall have been opened, and such engagement as aforesaid shall in no case be entered into for a longer or shorter period than twelve months from the commencement thereof, and every such agreement and engagement shall be duly made and entered into in writing between the said Teacher and the School Trustees, to be appointed as by this Act directed, and shall be in the form or to the effect prescribed in the Schedule to this Act annexed, marked (A.)

of his engagement to Secretary of Board.

Form of Teacher's agreement.

LXXXIX. It shall be the duty of the Trustees of schools in this Island, and they are hereby required in all cases, when entering into an engagement or agreement with any Teacher, to state and set forth in every such agreement what is the total number of scholars or children within the age of five and seventeen years in their district, and also the average daily attendance of scholars required by this Act for such school when the same is a district school.

Trustees on entering into agreement, to set forth number of scholars in the district, &c.

XC. The Journal or Register required by the fifty-fourth section of this Act to be kept by every Licensed Teacher, and forwarded by him or her to the Secretary of the Board of Education, shall, before being so forwarded, be certified to as to the correctness thereof, upon oath, by every such Teacher before a Justice of the Peace.

Teacher to verify journal on oath.

When a
Grammar
School may
be substi-
tuted for 2
district
schools.

XCI. When, and as often as the resident householders in any two adjoining country school districts in this Island, having children within the age of five and seventeen years, or to the Trustees of such districts, shall be desirous of obtaining the establishment of a Grammar School in lieu of the two district schools within their districts, and the Trustees of both of said districts, on behalf of such resident householders therein as aforesaid, shall signify such, their desire, in writing, to the Board of Education, and shall provide a suitable building for the purpose of such Grammar School, the same to be of not less area than six hundred square feet, and to be at least ten feet in the height of the post, that then, and in every such case, the said Board of Education shall have power, and they are hereby required to merge said two districts into one, and to establish therein a Grammar School, in lieu of the two district schools theretofore in operation in such districts, and to appoint a Teacher to such Grammar School, who shall be qualified to teach the various branches hereinafter specified, and the Board of Education shall have power at any time, upon the application of the Trustees of any such Grammar School as aforesaid, to appoint an Usher or assistant Teacher to such school.

When
Board may
merge two
districts for
the purpose
and appoint
Teacher,
&c.

Usher to
Grammar
School, how
appointed.

Other
Grammar
Schools
when al-
lowed.

XQII. The Board of Education shall likewise have power at their discretion, subject to the proviso as to the number of Grammar Schools in the next section set forth, to establish in any county school district in this Island, a Grammar School in lieu of the district school, should it appear to them to be necessary or advisable, and an application be made to them by the Trus-

tees or householders of the district, and the said Board of Education shall appoint to such Grammar School a Teacher possessing the qualifications hereinafter prescribed.

XCIII. The number of Grammar Schools in each of the Counties of this Island, to be allowed or recognized under this act, over and above those Grammar Schools formed by the junction of two district schools under this Act, or in Charlottetown, Georgetown, or Summerside, shall not exceed the following number, that is to say, in Prince County three, in King's County three, and in Queen's County five, unless the establishment of an additional Grammar School, or additional Grammar Schools shall, on recommendation of the Board of Education, be sanctioned by order of the Lieutenant Governor in Council.

Number of
Grammar
Schools in
Counties
(except
where for-
med by
merger of
district
schools)
limited.

XCIV. The Board of Education, at any time, if they, on examination, or the report of the examiners, find that a candidate for a Teacher's license is not likely to become fitted to be a Teacher without attending at the Normal School, shall require such candidate to attend at such Normal School for any period they may think fit, not exceeding five months, before they will again allow such candidate to offer himself for examination.

If Board
find a can-
didate
clearly un-
fitted, may
require at-
tendance at
Normal
School.

XCIV. From and after the passing of this Act, the Board of Education shall have power to continue in Georgetown a Grammar School, in addition to the male and female schools which are hereby authorized to be established and provided for therein, and in Summerside a

Board may
continue
Grammar
School in
George-
town and
Summer-
side, &c.

Governor
to appoint
Teachers
to such
Grammar
Schools;

Fee pay-
able by
children at-
tending;

Conditions
precedent
to Teacher
obtaining
his salary.

Tuition fees
to be appli-
ed by Trus-
tees for
purchase of
fuel, &c.

Grammar School in addition to the district school already established therein, respectively; and the Administrator of the Government, for the time being, in Council, shall from time to time, appoint the Teachers to such Grammar Schools, whose qualifications for teaching shall be those in this Act prescribed, and such Teacher shall charge, collect and receive, from the parent or guardians of the children attending such schools, a tuition fee, or such sum per head for every child taught by him, as shall be fixed by the Board of Education in that behalf, and subject to such rules and regulations as they shall prescribe, and the same in default of payment, shall and may be recovered, as in other cases under this Act; provided always, that no such Teacher, as last aforesaid, shall be entitled to draw the Government allowance payable to him under this Act; until he shall first have produced the certificate of the Secretary of the Board of Education, and one other member of the said Board as herein prescribed and required, in regard to district school Teachers, or until he shall have filed with the said Secretary of the Board of Education, a certificate, under the hands of a majority of the Trustees of his school, certifying to the effect, as in the form in the Schedule (C), to this Act annexed.

XCVI. The tuition fees to be collected by the said respective Grammar School Teachers in Georgetown and Summerside, shall be duly applied and appropriated under the directions of the respective Trustees of said schools, in the purchase of books and fuel, and in repairing the respective schoolhouses or buildings; and an

account of such fees and of the appropriation thereof, shall be duly kept and laid before the Board of Education, regularly, at least once in every year after the establishment of such respective Grammar Schools.

XC VII. The Teacher to be appointed to each and every Grammar School now established, or to be established under this Act, shall, in addition to the qualifications of second or higher class Teachers by this Act, be qualified to teach the Latin, Greek, and French languages, in such proficiency as the Board of Education shall deem requisite, and shall hold the certificate of the said Board; of such his qualifications.

Grammar School Teacher must be able to teach Latin, French and Greek, as required by Board, &c.

XC VIII. At the time of making the appointment of Teacher, to each of the Grammar Schools to be established in Georgetown and Summerside, under this Act, the Lieutenant Governor in Council, shall likewise appoint Trustees to each of such schools, respectively, whose powers and duties shall be the same as those of the Trustees of ordinary school districts under this Act.

Lt. Governor, &c., to appoint Trustees of Grammar schools in Georgetown and Summerside, with certain duties and powers.

XC IX. The parents or guardians of any child or children residing within any of the respective Counties, in which the said respective Grammar Schools of Georgetown and Summerside shall be situate, shall have the privilege of sending such child or children, to be taught in the Grammar Schools established in any such County Towns, respectively, and such parents or guardians shall not be liable to pay any assessments or contributions towards the salary of the Teacher of the school of the district, wherein such child or children may reside (so

Children in the County may go to Georgetown or Summerside Grammar schools &c.

far as such child or children are concerned) so long as such child or children shall be in attendance at such Grammar School, provided such parents or guardians shall have given notice of their intention to send any such child or children to such Grammar School, at the time of any such district school assessment aforesaid, being levied for the year.

Other
Grammar
School
Trustees
appointed
in ordinary
manner.

C. Trustees for the said Grammar Schools to be established under this Act, save and except the Grammar Schools in Georgetown and Summerside, shall be appointed in the same manner as provided by this Act for the appointment of Trustees or ordinary district schools, and all the provisions of this Act prescribing the duties and powers of Trustees of said district schools shall apply to and regulate the duties and powers of the Trustees of such Grammar Schools, save and except the two Grammar Schools in this clause excepted.

Teacher
applying
for salary
to deposit
copy of
agreement,
with certificate,
&c.

CI. Every Teacher, before he shall be entitled to draw the Government allowance under this Act, except the Teachers of the Grammar School in Georgetown and Summerside, shall deposit, or cause to be deposited with the Secretary of the Board of Education, one part of the original agreement made by him, or on his behalf, with the Trustees or inhabitants of any school district, or a true copy thereof, attested on oath, which said agreement shall be in the form or to the effect prescribed in the Schedule in this Act annexed, marked (A), and a certificate in the form in the Schedule to this Act annexed, marked (C), shall be endorsed thereon or thereto annexed, under the hands of a ma-

Form of
certificate.

jority or the Trustees of his school, in the manner prescribed by this Act (which said certificate shall be signed by the said Trustees in presence of a Justice of the Peace) certifying that the provisions of this Act in all respects have been duly complied with, and also certifying to the good conduct, attention and sobriety of such Master, during the term he shall have kept his school, pursuant to such agreement, which conduct shall also be thereon certified by one or more Justice of the Peace, and the said Secretary, with the concurrence of one other member of the said Board of Education shall certify the class to which such Teacher shall belong and the amount to which, by law, and as shall satisfactorily appear by such certificate, the said Teacher shall be entitled, and shall also certify that the said agreement, or an attested copy thereof, as aforesaid, has been duly filed and that the same has been framed in accordance with the provisions of this Act hereinbefore expressed, and on the production of such certificate last mentioned, such Teacher shall be entitled to receive from the Treasury of this Island such amount as he or she, according to his or her class and qualifications, shall be by law entitled to, the same to be paid by quarterly payments, on production of the certificates and other requisites prescribed by this Act, by warrants under the hand and seal of the Lieutenant Governor for the time being, with the advice of Her Majesty's Executive Council.

Secretary
 of Board to
 certify class
 of Teacher,
 and amount
 of his sal-
 ary, &c.

Which
 shall be
 paid quar-
 terly by
 warrants.

CII. It shall not be necessary that the Trustees shall sign the certificate mentioned in the last preceding section, collectively and in the

Trustees
 may sign
 certificate
 separately.

presence of each other, provided the same be signed by them individually at different times.

Anglo Rustico schools
Lot 24, con-
tinued un-
der control
of Board.

CIII. The two schools which were established and are now in operation, in the district known as the Anglo Rustico District, or Township Number twenty-four, in this Island, (one school having been found insufficient to afford the means of Education to all the children therein) shall be continued as now in operation, and the Board of Education are hereby authorized to divide and alter the said district in such way and manner as they may deem expedient, so as to meet the exigency of the case, anything herein contained to the contrary, notwithstanding, provided always that no Teacher, appointed to take charge of any such school or schools in the said Anglo Rustico District, shall, at any time, be recognized as a district Teacher, or be entitled to a salary, unless such person shall have obtained a license as a first or second class Teacher from the Board of Education, and shall comply with the provisions of this Act. relating to district Teachers.

Teacher
therein to
hold license

Districts
found simi-
larly cir-
cumstanced
as Anglo
Rustico
District
may be
dealt with
in the same
manner.

CIV. In case any other established school district in this Island shall be found similarly circumstanced with the said district, hereinbefore designated the Anglo Rustico District, it shall be in the power of the Board of Education to apply the same remedy in relation thereto, by dividing or altering the same, and establishing an additional school therein, as is mentioned and set forth in the last preceding section, in regard to the said Anglo Rustico District, and with the like restrictions in all respects as therein prescribed, in regard to the Teacher of

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any such additional school, being a duly licensed Teacher, and the Trustees of his school shall conform in all respects to the provisions of this Act.

CV. There shall be paid as salaries to the several classes of Teachers, assistant Teachers, and Ushers of Grammar Schools in the several districts and towns in this Island, (save and except the Teacher and Usher of the Charlotte-town Grammar School) hereinafter mentioned, the respective yearly salaries following, that is to say: to male district Teachers of the first or lowest class, the sum of fifty-five pounds per annum; to male district Teachers of the second or highest class, the sum of sixty pounds per annum; to female district Teachers, the sum of forty pounds per annum; to male district Teachers of Grammar Schools, when two districts combine to form a Grammar School, as hereinbefore mentioned and provided, the sum of one hundred pounds per annum; to male district Teachers of Grammar Schools, where districts are not so combined, the sum of ninety-five pounds per annum; to Ushers of such first named Grammar Schools, the sum of ten pounds per annum; to Teachers of Grammar Schools in Georgetown and Summerside, the sum of one hundred pounds each per annum; and to the Ushers of Georgetown and Summerside Grammar Schools, the sum of fifteen pounds per annum; to male Teachers of schools in Charlottetown, of the first or lowest class, the sum of seventy-seven pounds per annum; and to the assistant of such last named Teacher, the sum of sixty-six pounds per annum; to Teachers of the second or highest class of schools in Char-

Salaries of Teachers annually.

Male Teachers, 1st class, £55.

Do. 2nd class, £60.
Female Teachers £40.

Grammar School Teachers where districts merged, £100.

Do. where no merger, £95.
Ushers, £10.

Grammar School Teachers in Georgetown and Summerside, £100.

Ushers same, £15.

Ch'town male Teachers, 1st class, £77. Assistant £66.

Teachers,
2nd class,
Charlotte-
town, £100.

Assistant
£66.

Female
Teachers
Charlotte-
town, £49
10s.

Do.
George-
town, £40.

Teachers
licensed
before 23
Vic., Cap.
14, and not
again ex-
amined,
&c., 1st
class, £45.

Teachers
until they
have served
3 years, to
receive in
each case,
£5 less of
salary an-
nually.

Teacher's
salary to be
paid by
warrant on
usual cer-
tificate, &c.

lottetown, the sum of one hundred pounds per annum; and to the assistant of such last named Teacher, the sum of sixty-six pounds per annum; to female Teachers of female schools in Charlottetown, the sum of forty-nine pounds ten shillings per annum; to Teachers of the female schools in Georgetown, the sum of forty pounds per annum; and lastly, to the male Teachers of the first or lowest class, licensed by, and holding a certificate from the Board of Education, previous to the passing of the Act, of the twenty-third Victoria, Chapter fourteen, since repealed, but who shall not have passed an examination, and obtained a certificate from the said Board, subsequently to the passing of the said repealed Act, and who shall have heretofore declined or refused to submit to be re-examined by the said Board, or having so submitted, shall not have been entitled to a certificate of qualification, the sum of forty-five pounds per annum; provided always, that until a Teacher of any district or town school shall have been actually engaged as a Teacher in conformity with the provisions of this Act, or the hereby repealed laws relating to education, for a period of three years, he shall not be entitled to the full salary hereby directed to be paid to the Teachers of the class to which he may belong, but the salary of such Teacher shall be reduced yearly, and every year, until he shall have completed three years of teaching under this Act, or the former Acts, relating to education, by deducting the sum of five pounds therefrom in every case.

CVI. The several and respective salaries aforesaid, shall be paid by warrant, on the public Treasury, at such time or times, and under and

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subject to the same provisions, restrictions and qualifications, and on the production of the certificates, attestations and papers, and performance of the services hereinbefore mentioned, and shall also be subject to be reduced in amount for want of the daily average attendance of scholars as hereinbefore provided.

CVII. All acts, orders, deeds, transactions, matters and things whatever, made, done, had or executed by the Board of Education, or by or under their direction, sanction, priority or authority, under and by virtue of any Act or Acts hereby repealed or heretofore in force, relating to education, and all appointments of Trustees and other persons whomsoever, under and by virtue of the said Acts, and all agreements, contracts, arrangements, obligations, liabilities, matters and things whatsoever, had, made, done, executed, incurred, entered into or subsisting by or between the inhabitants, or householders, or school Trustees in any school district, town, place or locality whatsoever, in this Island, and any Teacher or Teachers, or by and between any other person or persons, at the time of the passing of this Act, in pursuance, or under, or by virtue, of the Acts hereby repealed, or any law heretofore in force, relating to education, are hereby expressly declared to be, and the same shall continue to be in all respects good, valid, absolute, binding, and effectual, both at law and in equity, under the operation of this Act, as if the said recited Acts, and every one of them, still remained in full force, and not in any manner repealed.

Former
Acts, orders
&c., of
Board of
Education
and others
sustained
as if re-
pealed Acts
were con-
tinued in
force, &c.

Act to go
in force on
1st June,
1868.

CVIII. This Act shall go into force and operation on the first day of June next, and not before that time.

Schedule
(A.)

Form of

SCHEDULE A.

FORM OF AGREEMENT WITH TEACHER.

These Presents witness that A. B., Licensed Teacher, doth hereby agree and engage with C. D., E. F., G. H., I. J., and K. L., Trustees of the District School, or Grammar School, Township Number , in Prince Edward Island, to conduct the said school duly, faithfully and punctually, in accordance with the Law, and the rules and regulations of the Board of Education for, and during the term of one year from the day of according to the best of skill and ability, and the said Trustees, on their part, agree, and engage to keep the Schoolhouse in said District in substantial repair, and comfortable for the Teacher and scholars, to provide sufficient fuel, cut, at all times for the use of said school, to provide such books and school furniture as may be prescribed by the Board of Education and Visitor of Schools—to visit and inspect said school—to direct the discipline thereof—to keep in as regular attendance as possible all the scholars resident in said District, amounting to in number,* and that the said parents shall also make good any reduction in the amount of the salary of the said A. B., which may be occasioned by a deficiency in the average daily attendance of scholars, as required by law for the said district, which said average is scholars;* and on the performance of the said Teacher of his part of this agreement, to give him the Certificate necessary to enable him to receive the allowance to which he shall be entitled from the Treasury of this Island. (If there be any further agreement between the parties as to any allowance to the Teacher for his board or otherwise, insert the same here.)

In witness whereof, the said parties to these presents, have hereunto set their hands and seals the day of A. D.,

18

Signed, sealed and executed }
in the presence of M. N. }

A. B. (seal)	} Teacher.
C. D. (seal)	
E. F. (seal)	
G. H. (seal)	} Trustees.
I. J. (seal)	
K. L. (seal)	

N. B. When the School is a Grammar School, the words between the asterisks, in the preceding form, to be left out.

Schedule
(B.)

SCHEDULE B.

NOTICE FROM TEACHER OF HIS ENGAGEMENT.

Teacher's
notice of
engagement

I hereby give notice that I have entered into an agreement, bearing date the day of 18 to teach the School (or Grammar School) in the settlement of in Township Number

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or in the Town or Royalty of) for the term of
and that the said School was opened on the day of 18
A. B., Teacher
We do certify that the foregoing statement is correct.

C. D. }
E. F. } Trustees.
G. H. }

SCHEDULE C.

Schedule (C.)

TEACHER'S CERTIFICATE TO OBTAIN SALARY.

Teacher's certificate to obtain salary.

We, the undersigned Trustees of the School at Township No. do hereby certify that A. B., Teacher of the class (or if a Grammar School, say Teacher of the Grammar School on Township Number) (or as the case may be) has diligently, faithfully and soberly, discharged his duties during the last months, as Teacher of our School, and has, during the said period, duly kept a journal of the said School, and in all other respects has complied with the laws now in force, relating to Education, and is entitled to receive the sum of for his said services, and that a Schoolhouse, in accordance with the provisions of the laws now in force, has been provided, and that the average attendance at this School during the past six months has been in number, as witness our hands this day of 18

Trustees.

I certify that the foregoing statements, to the best of my knowledge and belief, are correct, and that this certificate has been signed by the said Trustees in my presence.

J. P.

SCHEDULE D.

Schedule (D.)

FORM OF NOTICE OF MEETING TO APPOINT TRUSTEES.

NOTICE.

Form of notice of meeting to appoint Trustees.

A meeting of the inhabitants, resident householders within School District Number on Township Number (describe the District according to its registered name, or usual designation) will be held at the Schoolhouse, in said District, (or as the case may be) on the day of next (or instant as the case may be) at o'clock, in the noon, for the purpose of electing Trustees for the said School District, according to Law.

A. B. }
C. D. } Trustees.
E. F. }
G. H. }

SCHEDULE E.

Schedule (E.)

FORM OF AFFIDAVIT OF NOTICE BEING POSTED.

Affidavit of notice being posted.

County }
to wit }

J. K.. of in the said County, maketh oath and saith that a

true copy of the notice or paper writing hereunto annexed, was, on the day of instant (or last as the case may be) duly posted at each of the three following places within School District Number on Township Number (or as the case may be) that is to say: one copy thereof on Mr. 's forge, (or as the case may be) another copy thereof at and the third copy at being three of the most public places within the said School District.

Sworn to before me this }
day of 18 }
L. M., J. P.

.K.

and was, on
y be) duly
ol District
e may be)
(or as the
d copy at
aid School

.K.

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Other particular duties, 47, 48.

To give in a written quarterly report to the Board of Education, with details, 47.

Visits of, to be recorded in Trustees book, 48.

Salary, and how payable, 48.

VOLUNTARY SUBSCRIPTIONS

For the support of Teachers, 25.

How recovered, 25.

